

1  
2  
3  
4 BRIAN WHITAKER,  
5 Plaintiff,  
6 v.  
7 BHARAT ZAVERI,  
8 Defendant.

9 Case No. 21-cv-09242-JD  
10  
11

12  
13 **ORDER CONDITIONALLY  
14 DISMISSING CASE**  
15

16 The Court is advised that the parties have settled. Dkt. No. 19. Consequently, the Court  
17 vacates all pretrial deadlines and dismisses this case without prejudice. If any party certifies to the  
18 Court within **60 days** from the date of this order that the agreed consideration for the settlement of  
19 this action has not been delivered, this order will be vacated and the case will be set for a case  
20 management conference. If no certification is filed, the dismissal will be deemed to be **with**  
21 **prejudice** after the 60 days.

22 **The parties are directed not to ask the Court for a “dismissal with prejudice” at any**  
23 **time after this order, or to ask for an order confirming dismissal under FRCP 41(a)(1).** No  
24 Court order is necessary for dismissal under that rule.

25 **IT IS SO ORDERED.**

26 Dated: June 1, 2022

27  
28   
JAMES DONATO  
United States District Judge